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SUBJECT: 2008-2009 INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT,
CZECH REPUBLIC

REF: STATE 100992

¶1. Summary: Illegal narcotics are imported to, manufactured in, and consumed in the Czech Republic. While the overall number of drug users in the country is relatively stable, the rates of use for marijuana, Ecstasy, and methamphetamines are among the highest in Europe. Marijuana, grown locally and imported from Holland, is used more than any other drug. Locally produced high-THC content marijuana is exported to neighboring countries, and methamphetamine (known locally as pervitin) is sold for domestic consumption and export. Levels of heroin reaching the Czech Republic have remained stable over recent years, while cocaine use is low. The Czech Republic is a producer of ergometrine, which is then used for the production of LSD. Extensive and ongoing police reforms and recurrent changes in police management have led to understaffing which has hampered the ability of the police to effectively do their job. The Czech Republic is a party to the 1988 UN Drug Convention.

Status of Country

¶2. Several factors make the Czech Republic an attractive country for groups engaged in the drug trade. These factors include its central location, relatively short sentences for drug-related crimes, and the low risk of assets confiscation. A new law on public sector compensation has caused many police officers to pursue early retirement, leading to major understaffing. The abolition of the Financial Police has led to a decrease in detection rates of laundered drug money. The decrease in border control mechanisms as part of EU accession in 2004 and entry into the Schengen System at the end of 2007 have made detection of narcotics coming across the border more difficult. The maximum sentence for a drug-related crime is 15 years imprisonment, but often convicted drug traffickers receive only light or suspended sentences. A four-year governmental action plan, "The National Drug Policy Strategy for 2005-2009," is re-evaluated internally every year for appropriate changes. According to the annual report of European Monitoring Center for Drugs and Drug Addiction, the rate of marijuana use in the Czech Republic is the highest in Europe, with 28.2 percent of young adults having used the drug within the previous twelve months. Together with Danes, Czechs are also the most likely to have used marijuana in their lifetimes. Consumption of Ecstasy and pervitin was among the highest in the EU.

¶3. The "Czech National Focal Point for Drugs and Drug Addiction" is the main body responsible for collecting, analyzing and interpreting data on drug use. According to their annual report the number of drug users was stable in 2007. The report estimates there were 20,900 pervitine and approximately 10,000 opiate users-among the highest percentages of use in the EU. The use of Subutex (an opiate used in the treatment of addiction) and heroin declined and showed 4,250 and 5,750 users respectively.

¶4. A 2007 "Health Behavior in School-aged Children" (HBSC) study confirmed the trend observed in the 2006 HBSC survey carried out among 15-year-old students: the dramatic increase in experience with drugs use observed since the mid-1990s has stopped. It showed that 25 percent of 15 year old children have tried marijuana, and 19 percent of them used it in the last twelve months. Based on the Czech National Monitoring Center (Focal Point) the situation improved compared to 2002. At that time, 30 percent of polled 15 year-olds reported they had tried marijuana, and 27 percent admitted that they had used marijuana in the last twelve months.

Country Actions Against Drugs in 2008

¶5. Policy Initiatives: Drug policy remains a contentious issue in Czech domestic politics. In March 2008 Minister of Justice Jiri Pospisil submitted a new penal code to the Parliament. The bill is currently due for the second reading in the House of Deputies of the Czech Parliament, and parliamentary sources say it could be passed by the end of November. Under the new bill, imprisonment up to one year may be imposed for possession of so-called "soft drugs," while a two-year limit has been set for the remaining drugs. The Greens, one of three parties in the current government, promote legalization of marijuana, i.e. decriminalize the use. The Criminal Code passed in 2005 for the first time made a sharp distinction between the use of "soft" drugs, such as marijuana and Ecstasy, and "hard" drugs, such as heroin and pervitin. An important and long-awaited law on social services was passed and came into force in 2006. Among other things, it defines basic types of social services for drug users and identifies drug users as a target group. This is important especially for non-governmental organizations providing such services to drug users and requesting funding from the Ministry of Labor and Social Affairs.

¶6. The Governmental Committee for Coordination of Drug Policy is the main body responsible for the Czech National Drug Policy strategy. The strategy document created for 2005-2009 highlights the importance of enforcement operations against organized criminal enterprises and focuses efforts on the reduction of addiction and associated health risks, and the establishment of a certification system for drug prevention programs. The government also controlled the availability of pills containing chemical precursors. The Committee includes representatives of local governments, medical specialists and NGO representatives. The National Drug Headquarters (NDH) is the main organization within the country responsible for major drug investigations. The drug units of the Czech Customs Service are also responsible for tracking drugs, but their roles differ. In addition to Customs common operational work and investigations, they focus on the control of the major port-of-entry into the country located at Prague international airport. Additionally, they use mobile groups to monitor suspicious trucks on highways around the country. This work has become more difficult after the country's 2004 entry into the EU, when border control checks were reduced. Customs is also responsible for monitoring the Czech Republic's modest licit poppy crop, highway permits, and trafficking in cigarettes, as well as levying certain taxes and fees. As a result of these additional tasks and changes related to the December 2007 accession to the EU Schengen System, the monitoring of drug trafficking is no longer the highest priority.

¶7. The NDH cooperates regularly with the Customs Service based on an agreement signed between the Ministries of Interior and Finance. Discussions continue on whether the NDH and the customs drug unit should be joined under one institution owing to overlapping responsibilities.

¶8. The NDH cooperates regularly with other police units including the Unit Combating Corruption and Financial Crimes, as the NDH is responsible for financial investigations following the abolition of the Financial Police in January 2007. Despite its strong reputation, the Interior Minister decided to abolish the Financial Police as part of a broader reform package. The decision has been criticized as having been politically motivated. As a result, the NDH conducts its basic financial investigations alone and refers cases of extensive financial investigations to the Unit Combating Corruption and Financial Crimes.

¶9. Law Enforcement: In the first six months of 2008, the National Drug Headquarters, together with the Customs Service, seized 39.6 kg of heroin, compared to 20.33 kg in the entire 2007; 15,936 Ecstasy pills, compared to 63,226 pills in 2007; 1.84 kg of methamphetamine, compared to 5.9 kg of methamphetamine in 2007; 135.42 kg of marijuana, compared to 122.12 kg of marijuana in 2007; 7.9 kg of cocaine, compared to 37.5 kg of cocaine in 2007; and 11,910 cannabis plants. They also uncovered 197 methamphetamine laboratories, compared to 388 methamphetamine laboratories in 2007; and 61 marijuana cultivation laboratories, compared to 34 laboratories in ¶2007. Of the 61 laboratories 53 were operated by Vietnamese gangs. The police also seized 245 LSD trips in the first half of 2008.

¶10. In March, after two months of intensive work, the police arrested five persons, three Czechs and two Brits, and closed what is believed to have been one of the most productive pervitin laboratories where they produced half a kilogram of the drug per week. The manufacture was funded from Britain, and most of the drugs were smuggled via an air courier to Britain. A smaller part of the production was sold in the Czech Republic. The five detainees are facing up to 15 years in prison. In April the police broke an organized gang producing drugs in the Central Bohemian region. Five men and a woman were arrested. The group distributed pervitin and heroin worth more than CZK 4 million (\$245,000) mainly among Roma communities.

¶11. In April the Customs Service detained 31 persons suspected of manufacture and distribution of drugs. The operation, in which Czech officials in cooperation with their counterparts in West European countries and South America seized more than 30 kilograms of various drugs, lasted two years. The gang was operated by Nigerians living in the Czech Republic and using Czechs as couriers for shipments of drugs from Belgium, the Netherlands, Argentina, and Bolivia to the Czech Republic.

In August the police detained an organized group suspected of illicit manufacture and distribution of anabolic steroids. The gang of two Czechs and a Turk were arrested after more than a year of investigation that involved cooperation with the police in Sweden, Spain, United Kingdom and Germany where four shipments of anabolic steroids worth millions of Czech crowns were seized. On Czech

territory the police seized anabolic semi products and equipment worth also millions of Czech crowns. The gang faces up to five years in prison.

¶12. The number of drug offences in the Czech Republic has remained relatively stable in recent years. According to the Czech National Monitoring Center, the number of people prosecuted for drug offences in 2007 was the lowest in the past four years and ranged, depending on the source, from 2,023 to 2,282. Two thousand and forty two people were charged with drug offences, which represents a decrease of 12% compared to 2006, and the lowest total number of people charged with such offences since 2000.

¶13. The annual 2007 Czech National Monitoring Center Report states that courts passed final sentences for 1,382 persons convicted of drug offences. In 2007 there was an increase in the proportion of individuals prosecuted for drug offences under Section 187a (possession of drugs for personal use). The most frequent drug offences were associated with pervitin (50-70%), followed by cannabis (20-30%). The proportion of cocaine has been increasing in recent years, although it still accounts for fewer than 3% of drug offences. Statistics for the first six months of 2008 show that of 858 convicted criminals 370 received conditional sentences for drug-related crimes, and 228f received prison sentences. Only 38 of this latter group received sentences of 5 to 15 years. The majority of those sentenced to serve time in prison (157) received sentences ranging from one to five years. According to 2007 data, higher prison sentences are given to people convicted of production and lower sentences are given for possession.

¶14. Corruption: The Czech government does not encourage or facilitate illicit production or distribution of narcotic or psychotropic drugs or other controlled substances, or the laundering of proceeds from illegal drug transactions. A current provision in Czech law permits possession of a small amount of certain drugs, but does not give a definition of "small amount". To avoid confusion and

to eliminate potential corruption, the Police President and Supreme Public Prosecutor have issued internal regulations that provide guidelines that attempt to define "small amount". While not binding, these guidelines are commonly followed. In 2007 no police officer was charged with drug-related crimes. The Czech Republic signed the UN Convention against Corruption in 2005, but has not yet ratified it.

¶15. Agreements and Treaties: The Czech Republic is a party to the 1961 UN Single Convention as amended by the 1972 Protocol, the 1971 UN Convention on Psychotropic Substances and the 1988 UN Drug Convention. A 1925 extradition treaty between the U.S. and the Czech Republic, as supplemented in 1935, remains in force. U.S. and Czech representatives signed supplements to the U.S.-EU extradition treaty in May 2006.

¶16. Drug Flow/Transit: Whereas in the past heroin trafficking in the country was mainly under the control of ethnic Albanian groups importing their product from Turkey, according to the Czech counternarcotics squad and Customs this is no longer the case. The importation of heroin is now mainly organized by Turks who have closer relations with suppliers in Turkey. Heroin is transported to the Czech Republic primarily using modified vehicles, in many cases vehicles importing textiles. Given the fact that Vietnamese immigrants specialize in the textile business in the Czech Republic, they play a role in further distribution. Heroin can be bought for a street price of 800 - 2000 crowns a gram (\$44 - \$115). Police and Customs suspect the Balkan route of heroin trafficking has moved south to Austria and, therefore, the Czech Republic is no longer viewed as a transit country for heroin.

¶17. Cocaine abuse is not as widespread as other drugs, but abuse is increasing due to the growing purchasing power of Czech citizens. Cocaine is frequently imported by Nigerians or Czechs through Western Europe from Brazil, Venezuela or, most recently, Argentina. Mail parcels, Czech couriers or "swallowers" are the most common methods of import. In 2007, the Czech Customs Service detected 38 kg of cocaine, which is almost four times more than in 2006. The drug was smuggled especially from the Netherlands. Customs extended their cooperation with express courier services, which seem to be the most common way of importation. Cocaine can be bought for a street price of 1200 - 3500 crowns a gram (\$67 - \$200).

¶18. Pervitine is a synthetic methamphetamine-type stimulant that is popular in the Czech Republic. Statistics for pervitin use also represent the highest rates in Europe. It can be easily produced in home laboratories from locally available flu pills containing up to 30 mg of pseudoephedrine. According to the Czech Pharmaceutical Association, more than 80% of cold medications sold in the Czech

Republic is being used for the clandestine manufacture of pervitin. According to the State Institute for Controlled Substances (SUKL), just 12 pharmacies were responsible for selling one quarter of the 4 million medication packets sold in 2007. The Czech government has been preparing a new law regulating access to those flu pills. Czech police also appears to have stepped up enforcement. On June 5, Czech police announced charges against a pharmacist in connection with allegedly supplying up to 25,000 boxes of cold medications to a suspected meth cook in Chomutov, a city in northern Czech Republic near the German border.

¶19. It is believed that pervitine is also produced in bigger laboratories from imported ephedrine from the Balkans or Russia, and exported to Germany, Austria and Slovakia. Besides Czech citizens, who are still the main producers of the drug, Vietnamese and Albanians residing in the Czech Republic and Germans are also major pervitine traffickers. The Vietnamese control mainly border areas, selling drugs in market places. Pervitine can be bought for a street price of 400 - 4000 crowns a gram (\$23 - \$222). Imported Ecstasy tablets remain a favorite drug of the "dance scene." Ecstasy is trafficked primarily from the Netherlands and Belgium. Ecstasy tablets are smuggled into the country by local couriers. The police report an increase of larger one-time imports organized mainly by Czechs. Import is less risky due to EU's open borders under Schengen System. Ecstasy tablets can be bought for a street price of 80 - 500 crowns a pill (\$4.40- \$28.60).

¶20. A trend toward larger-scale growth of cannabis plants in hydroponic laboratories continued in 2007. The cultivation is increasingly sophisticated and mainly organized by Vietnamese and Czechs. In 2007, the police detected 34 laboratories. The number of detected hydroponic laboratories increased dramatically in the first five months of 2008: 61 laboratories were detected of which 53 were run by Vietnamese operators. According to the NDC thousands of cannabis plants, dozens of kilograms of the final dry product, and extensive number of technical equipment were seized. Most of the final product was intended for illegal distribution on the Czech market, and the rest was intended for export, mainly to Germany and the Netherlands. Marijuana can be bought for a street price of 50 - 300 crowns a gram (\$2.90 - \$17.10).

¶21. Domestic Programs/Demand Reduction: The main components of Czech demand reduction plans continue to be primary prevention along with treatment and re-socialization of abusers. This strategy entails a variety of programs that include school-based prevention education, drug treatment, and needle exchange programs. Within the context of the National Strategy, the government has established benchmarks for success. Some of these include stabilizing or reducing the number of "problem" (hard drug) users, reversing the trend in the Czech Republic toward rising recreational and experimental drug use, and ensuring the availability of treatment centers and social services.

¶22. To provide high-level treatment services all over the country, the National Strategy sets standards that are required of all drug treatment providers. In connection with this effort, the government began a certification process in 2005 for treatment facilities. A system of certifications of specialized primary prevention programs was launched in 2006. All providers of primary prevention programs must obtain certification prior to the end of 2008. According to the Czech National Monitoring Center 2008 report, a total of 22 facilities were certified in 2007 (two treatment facilities and 20 harm reduction facilities. In the first six months of 2008 additional four facilities were certified for services in the field of harm reduction, treatment, and after-care.

¶23. For better orientation, the Czech government produced an online "Map of Help" in 2006 which lists contact information for all drug treatment programs in the Czech Republic, including those providing services by phone and the Internet.

¶24. In 2007 there were 109 contact centers and street programs in the Czech Republic. About 27,200 drug users used these services, and 4.5 million injection kits were exchanged, which is 700,000 more than in 2006. Thanks to the successful needle exchange program, the percentage of HIV positive drug users is very low. Drug testing of individuals involved in serious traffic accidents or driving under the influence became mandatory in 2006. There were 15 substitutions centers in the Czech Republic in 2007 treating addicts with methadone and two medicines Subutex and, since 2008 Subuxone, which feature beprenorphine as the addictive substance and can be prescribed by any physician, regardless their specialization.

¶25. In 2007 the state spent 367 million crowns (\$20.2 million) on its drug policy. Of this amount, 128 million crowns (\$5.1 million) were provided from regional budgets and 62 million (\$ 3.35 million) was contributed from local budgets. Compared to 2006, total expenses increased on all three levels.

¶26. The National Focal Point statistics have noted a positive trend: the increasing average age of long-term drug users: 26.1 years in 2007, compared to 25.3 years in 2006, 23.4 in 2004, and 22 in 2002.

U.S. Policy Initiatives and Programs

¶27. Bilateral Cooperation: The U.S. covers Czech Republic drug issues through the DEA office in Warsaw but cooperation with the Vienna office is also very good. Exchange of information especially about technical equipment for manufacture of synthetic drugs between the DEA office in Vienna and the National Drugs Headquarters in Prague has been very productive. The Legal Attach maintains close contact with National Drug Headquarters representatives and exchanges information as necessary. The relationship with Czech law

enforcement counterparts is cooperative. Cooperation between American and Czech officials on law enforcement and border security issues has increased as a result of the Czech Republic's entry into the U.S. visa waiver program.

¶28. The Road Ahead: The Czech Republic continues to implement police and legal reforms to ensure a stable, effective and independent police force. The Czech Parliament is expected to approve the new Penal Code and Criminal Proceedings Code by the end of 2008, which would come into effect on January 1, 2010. The new codes will ensure that criminal prosecutions are conducted in a timely manner and sentencing is appropriate and predictable. The new Penal Code will newly differentiate between marihuana and other drugs. The Ministry of Health is expected to complete a draft regulation limiting the sale of medications containing precursors, such as Nurofen Stopgrip, Modafen, Paralen Plus, and Panadol Plus Grip, to one or two packets per person. The National Drugs Headquarters and the Czech Pharmaceutics Chamber favor a stricter limitation to one packet of these medications. Debate about the exact amount of these medications sold over the counter should be concluded by December and the new regulation should be effective as of January 1, 2009.

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